



2665

PTO/SB/21 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

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Total Number of Pages in This Submission

26

Application Number

09/853,816

Filing Date

May 11, 2001

First Named Inventor

Tobagi

Art Unit

2665

Examiner Name

Phan

Attorney Docket Number

PA1689US

ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☒

Fee Attached

☒

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☒

Extension of Time Request

☐

Express Abandonment Request

☒

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/
Incomplete Application

☐

Reply to Missing Parts
under 37 CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a
Provisional Application

☐

Power of Attorney, Revocation
Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) _____

☐ Landscape Table on CD

☐

After Allowance Communication to TC

☐

Appeal Communication to Board
of Appeals and Interferences

☐

Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please identify
below):

- 1) Confirmation Postcard;
- 2) Duplicate Copy of Information Disclosure Statement;
- (3) PTO-SB-08 (x2);
- (4) Two Non-Patent References

Remarks

Total page number does not include postcard.

Total page number does not include references.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Carr & Ferrell LLP

Cust. No. 22830

Signature

Susan Yee

Printed name

Susan Yee

Date

May 9, 2005

Reg. No.

41,388

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Susan Yee

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Susan Yee

Date

May 9, 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Tobagi et al.

APPLICATION NO.: 09/853,816

FILING DATE: May 11, 2001

TITLE: System and Method for Controlling Data Transfer Rates
on a Network


EXAMINER: Man U. Phan

ART UNIT: 2665

ATTY. DKT. NO.: PA1689US

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
Under 37 C.F.R. §§ 1.56, and 1.97-1.98

SIR:

Pursuant to the provisions of 37 C.F.R. §§ 1.56 and 1.97-98 of the Rules of Practice in Patent Cases, enclosed herewith is form PTO-SB-08 listing several references.

The Examiner is requested to make these references of official record in the application. The references cited may be material to examination of the application and

is submitted in compliance with Applicants' duty of disclosure as defined by 37 C.F.R. § 1.56.

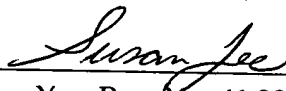
The Examiner is authorized to charge any fee due to **Deposit Account 06-0600**.
A duplicate copy of this statement is enclosed for this purpose.

No representation is made or intended as to the completeness of this list, nor is the inclusion of any reference on this list an admission that it is prior art or pertinent to this application.

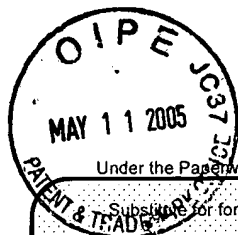
Respectfully submitted,
Fouad Tobagi et al.

May 9, 2005

By:



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PTO/SB/08A (08-03)

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Substitution for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number 09/853,816

Filing Date May 11, 2001

First Named Inventor Tobagi

Art Unit 2665

Examiner Name Phan

Attorney Docket Number PA1689US

Sheet 1 of 3

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 5,920,701	07-06-1999	Miller et al.	
		US- 6,052,710	04-18-2000	Saliba et al.	
		US- 6,560,651	05-06-2003	Katz et al.	
		US- 6,775,665	08-10-2004	Piersol	
		US- 6,427,140	07-30-2002	Ginter et al.	
		US- 6,098,096	08-01-2000	Tsirigotis et al.	
		US- 6,141,754	10-31-2000	Choy	
		US- 6,324,570	11-27-2001	Tonchev et al.	
		US- 4,642,758	02-10-1987	Teng	
		US- 5,523,854	06-04-1996	Hornsby	
		US- 5,557,320	09-17-1996	Krebs	
		US- 5,708,960	01-13-1998	Kamisaka et al.	
		US- 5,920,700	07-06-1999	Gordon et al.	
		US- 6,003,082	12-14-1999	Gampper et al.	
		US- 6,098,064	08-01-2000	Pirolli et al.	
		US- 6,134,584	10-17-2000	Chang et al.	
		US- 6,240,460	05-29-2001	Mitsutake et al.	
		US- 6,208,661	03-27-2001	Marshall	
		US- 6,332,023	12-18-2001	Porter et al.	

FOREIGN PATENT DOCUMENTS

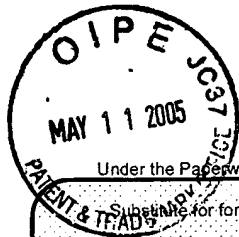
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ²
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

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PTO/SB/08A (08-03)

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Application Number	09/853,816
Filing Date	May 11, 2001
First Named Inventor	Tobagi
Art Unit	2665
Examiner Name	Phan
Attorney Docket Number	PA16869US

Sheet 2 of 3

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 6,337,850	01-08-2002	Nakano et al.	
		US- 6,748,447	06-08-2004	Basani et al.	
		US- 5,933,603	08-03-1999	Vahalia et al.	
		US- 5,978,363	11-02-1999	Dimitrijevic et al.	
		US- 6,070,191	05-30-2000	Narendran et al.	
		US- 6,134,596	10-17-2000	Bolosky et al.	
		US- 6,374,336	04-16-2002	Peters et al.	
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		US- 2002/0083185	06-27-2002	Ruttenberg et al.	
		US- 2004/0022191	02-05-2004	Bernet et al.	
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Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

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STATEMENT BY APPLICANT**

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Sheet

3

of

3

Attorney Docket Number

09/853,816

May 11, 2001

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NON PATENT LITERATURE DOCUMENTS

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